

Chevy Chase Village Board of Managers' Meeting

September 14, 2015

Note: These minutes reflect the Board's actions only, and do not include remarks made by members of the Board of Managers, Legal Counsel, Village Staff or others in attendance.

BOARD OF MANAGERS

Michael L. Denger, Chair	Present
Elissa A. Leonard, Vice Chair	Present
Richard M. Ruda, Secretary	Present
David L. Winstead, Assistant Secretary	Present
Gary Crockett, Treasurer	Present
Robert C. Goodwin, Jr., Assistant Treasurer	Present
Minh Le, Board Member	Present

STAFF

Shana R. Davis-Cook, Village Manager	Present
Adventino Dasilva, Police Lieutenant	Present
Michael Younes, Director of Municipal Operations	Present
Demetri Protos, Finance Director	Present
Ellen Sands, Permitting & Code Enforcement Coordinator	Present
Melissa Wiak, Community Liaison/Administrative Assistant	Present

COUNSEL

Suellen M. Ferguson, Village Counsel	Present
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Mr. Denger, Chair of the Board of Managers, called the meeting to order at 7:32 p.m.

Mr. Denger stated that the Village Board had met in closed session prior to the regular meeting pursuant to Section 10-508(a)(1) of the General Provisions Article, Annotated Code of Maryland, to discuss a personnel matter involving a specific individual, and pursuant to Section 10-508(a)(7) to discuss legal matters with Counsel. Mr. Denger, Ms. Leonard, Mr. Crockett, Mr. Goodwin, Mr. Ruda, Mr. Winstead, Ms. Le were in attendance along with Ms. Davis-Cook, Mr. Younes, Ms. Sands (for portions of the closed session) and Ms. Ferguson. No action was taken by the Board during its closed session.

Approval of Minutes from the Board's Regular Meeting held on July 13, 2015

Minutes of the Board's regular meeting held on July 13, 2015 were circulated to the Board prior to the meeting. *Mr. Crockett moved to approve the minutes of the Board of Managers' regular monthly meeting held on July 13, 2015, as drafted.* Mr. Goodwin seconded the motion. Mr. Denger, Ms. Leonard, Mr. Ruda, Mr. Winstead, Mr. Crockett, Mr. Goodwin and Ms. Le voted in favor of the motion. The motion passed.

Consent Agenda—Tree Ordinance Board Consent Agreements:

A-2195 (Tree Removal Appeal): Montgomery County, Western Grove Park Property (formerly 5409 Grove Street): Remove five (5) trees to accommodate a park development plan.

No Board Members requested the item be removed from the consent agenda. The Consent Agreement was deemed approved.

A-2193 (Tree Removal Appeal): Dr. Michael and Ms. Yael Summerfield, 7 Oxford Street

Removal of one eighteen (18) inch diameter Magnolia tree located in the rear yard of the property. *No Board Members requested the item be removed from the consent agenda. The Consent Agreement was deemed approved.*

Variance Request:

A-6802 (a) & (b) Mr. & Mrs. William Bray, 104 Oxford Street

- a) Extend an existing wrought iron fence measuring forty-two (42) inches in height located along the west property line that would be three (3) inches from the public sidewalk located in the Summerfield Road public right-of-way. The proposed fence would extend from the existing wrought iron fence on the west property line southward and terminate twenty-one (21) inches from the edge of the paved surface of the alley that abuts the property to the south;

Mr. Goodwin moved to approve the Variance request in Case A-6802 (a) on the basis that the evidence presented, including the Staff Report and Case Synopsis, demonstrates that the applicable requirements for approval of the Variance have been met. Staff is directed to draft a decision based on the evidence, including findings of fact and conclusions approving the Variance request. Mr. Crockett seconded the motion. Mr. Denger, Ms. Leonard, Mr. Ruda, Mr. Winstead, Mr. Crockett, Mr. Goodwin and Ms. Le voted in favor of the motion. The motion passed.

- b) Install a wrought iron fence measuring forty-two (42) inches in height located twenty-one (21) inches from the edge of the paved surface of the alley that abuts the property to the south. The proposed fence would be twenty-one feet, eight inches (21'-8") in length located between the house and a proposed fence located along the west property line (see (a) above).

Mr. Crockett moved to approve the Variance request in Case A-6802 (b) on the basis that the evidence presented, including the Staff Report and Case Synopsis, demonstrates that the applicable requirements for approval of the Variance have been met. Staff is directed to draft a decision based on the evidence, including findings of fact and conclusions approving the Variance request. Ms. Le seconded the motion. Mr. Denger, Ms. Leonard, Mr. Ruda, Mr. Winstead, Mr. Crockett, Mr. Goodwin and Ms. Le voted in favor of the motion. The motion passed.

Treasurer's Report

The Treasurer's Report was distributed to the Board and posted to the Village website prior to the meeting. No action was taken by the Board.

Matters Presented for Board Discussion and Possible Action (where required)

Continuation from the Board Discussion Began in July:

- Tree Planting Program—Tree Selection Policy

An updated Tree Selection Policy incorporating Board and resident feedback received during and following the July regular meeting was circulated to the Board and posted to the Village website prior to the meeting. Tree Committee Chair, Samuel Lawrence and Parks & Greenspaces Co-Chairs Ms. Kilborn and Ms. Elliott provided their support for the Native Tree Policy as drafted.

Mr. Winstead moved to approve the Native Tree Policy, as drafted. Ms. Le seconded the motion. Mr. Denger, Ms. Leonard, Mr. Ruda, Mr. Winstead, Mr. Crockett, Mr. Goodwin and Ms. Le voted in favor of the motion. The motion passed.

- **Revised Plans for the Northwest Corner of the Large Oliver Street Park**

A report regarding the landscaping recommendations for the Northwest Corner of the Large Oliver Street Park was circulated to the Board and posted to the Village website prior to the meeting. Discussion followed.

Mr. Denger directed staff to obtain a cost estimate for implementation of the revised landscape design plans of the northwest corner of the Large Oliver Street Park for Board review at its October 12, 2015 regular meeting. No action was taken by the Board.

- **Donation Request: Somerset Elementary School Turf Field**

Caroline Cooper (Grafton Street) and Erica Brown, co-chairs of the Somerset Elementary School's turf field replacement fundraising campaign, entitled "Play It Forward", presented their request for \$10,000 from Chevy Chase Village toward the replacement of Somerset's Turf Field. Discussion followed.

The Board took the request under advisement and encouraged the fundraisers to keep the Board apprised of its fundraising progress¹.

Memoranda of Understanding

- Maryland National Capital Park & Planning Commission for the development and operation of the Western Grove Park

A staff report was circulated to the Board and posted to the Village website prior to the meeting.

Mr. Denger moved to authorize the Village Manager to enter into an agreement, in substantially the form provided, with the Maryland-National Capital Park and Planning Commission for the management of the Western Grove Park. Mr. Crockett seconded the motion. Mr. Denger, Ms. Leonard, Mr. Ruda, Mr. Winstead, Mr. Crockett, Mr. Goodwin and Ms. Le voted in favor of the motion. The motion passed.

- Friends Group Agreement for the Purpose of Soliciting and Taking Receipt of Donations Toward the Ongoing Maintenance and Improvement of the Western Grove Park

A staff report was circulated to the Board and posted to the Village website prior to the meeting.

Ms. Leonard moved to authorize the Village Manager to enter into an agreement, in substantially the form provided, with the Montgomery County Parks Foundation to establish the

¹ Following the meeting, the Board also offered for the fundraisers to publicize their efforts in the Village's monthly newsletter and gratis use of the Village Hall for a fundraising event.

“Friends of Western Grove Park” fundraising foundation and associated fundraising agreement. Ms. Le seconded the motion. Mr. Denger, Ms. Leonard, Mr. Ruda, Mr. Winstead, Mr. Crockett, Mr. Goodwin and Ms. Le voted in favor of the motion. The motion passed.

Staff Proposal to Install an Additional Camera in the Buffer Area

A staff report was circulated to the Board and posted to the Village website prior to the meeting.

No formal action was required; however, the Board unanimously supported the installation of an additional camera in the Buffer Area near its intersection with Montgomery Street.

Friends of Chevy Chase Circle: Status Update

President of the Friends of Chevy Chase Circle, Ruth Robbins of Magnolia Parkway and Vice-President, Gerri Carr of Grafton Street provided a status report regarding their group and the status of the Chevy Chase Circle and its center fountain.

No action was taken by the Board.

Comcast Franchise Agreement: Status of Negotiations - Proposed Memorandum of Understanding with Montgomery County

Village Counsel provided an update on the status of negotiations with Montgomery County regarding the Comcast Franchise Agreement Renewal.

No action was taken by the Board.

Resolution No. 09-01-15: Authorization for the Village’s Permitting and Code Enforcement Coordinator to deliver citations to individuals who have committed municipal infractions, pursuant to Section 5-3 of the Village Code’s “Municipal Infractions” Ordinance.

Mr. Denger moved to approve Resolution No. 09-01-15, as drafted. Mr. Crockett seconded the motion. Mr. Denger, Ms. Leonard, Mr. Ruda, Mr. Winstead, Mr. Crockett, Mr. Goodwin and Ms. Le voted in favor of the motion. The motion passed.

Committee Report

Charter Revision Committee

The Charter Revision Committee Chair, Ms. Patricia Baptiste presented the Committee’s recommended revisions to the Village Charter. The Charter Revision Committee Report was circulated to the Board and posted to the Village website prior to the meeting. The Board directed Counsel to prepare appropriate language to amend Section 206.

The Board will hold a Public Hearing during its October 12, 2015 regular meeting regarding the proposed amendments. No action was taken by the Board.

Contractual and Purchase Matters

Purchase Authorization Requests

- All-Wheel Drive Utility Vehicle for Snow Clearing from Sidewalks: *Gaithersburg Equipment Company*—GSA Schedule Contact

A staff report regarding the proposed purchase was circulated to the Board and posted to the Village website prior to the meeting.

Mr. Denger moved to authorize the Village Manager to purchase one 2015 Kawasaki Mule All-Wheel Drive Utility Vehicle and associated accessories under GSA Schedule #GS-07F-0314K (for pricing only), in the amount of \$13,296. Mr. Crockett seconded the motion. Mr. Denger, Ms. Leonard, Mr. Ruda, Mr. Winstead, Mr. Crockett, Mr. Goodwin and Ms. Le voted in favor of the motion. The motion passed.

- Fall 2015 Tree Planting—Tree Stock: *Stadler Nursery*

A staff report regarding the proposed purchase was circulated to the Board and posted to the Village website prior to the meeting.

Mr. Denger moved to authorize the Village Manager to purchase thirty (30) trees of varying species from Stadler Nursery in support of fall 2015 tree planting operations in the amount of \$5,670.29. Mr. Crockett seconded the motion. Mr. Denger, Ms. Leonard, Mr. Ruda, Mr. Winstead, Mr. Crockett, Mr. Goodwin and Ms. Le voted in favor of the motion. The motion passed.

Staff Report on the Proposed Project Scope for: Website Redevelopment

Village staff provided a project overview on the redevelopment of the Village website.

Discussion followed. Mr. Crockett volunteered to serve as the Board representative and liaison with staff during the redevelopment.

No formal action was taken by the Board.

Board Appointment to External Advisory Committees

Bethesda Fire Board: Patricia Baptiste (Grafton Street)

Mr. Denger moved to appoint Ms. Patricia Baptiste of Grafton Street to serve as the Village's representative to the Bethesda Fire Board. Mr. Goodwin seconded the motion. Mr. Denger, Ms. Leonard, Mr. Ruda, Mr. Winstead, Mr. Crockett, Mr. Goodwin and Ms. Le voted in favor of the motion. The motion passed.

Friendship Heights Transportation Management District Advisory Committee: Charles Simpson (Grafton Street)

Mr. Winstead to authorize the Board Chair to execute a letter to the County Executive recommending appointment of Mr. Charles Simpson of Grafton Street to serve as the Village's representative to the Friendship Heights Transportation Management District Advisory Committee. Mr. Ruda seconded the motion. Mr. Crockett seconded the motion. Mr. Denger, Ms. Leonard, Mr. Ruda, Mr. Winstead, Mr. Crockett, Mr. Goodwin and Ms. Le voted in favor of the motion. The motion passed.

Police Report

The Police Report was distributed to the Board and posted to the Village website prior to the meeting. Discussion followed. No action was taken by the Board.

Manager's Report

The Manager's Report was circulated to the Board prior to the meeting. Ms. Davis-Cook advised that the Montgomery County Board of Elections proposed to eliminate the Jane E. Lawton Community Recreation Center as an early voting site for Village residents. Per Mr. Denger's direction, Ms. Davis-Cook will draft a letter to the Montgomery County Board of Elections in support of keeping the Jane E. Lawton Community Recreation Center as an early voting site for Village residents. *No formal action was taken by the Board.*

Adjournment

Mr. Crockett moved to adjourn the meeting. Ms. Le seconded the motion. Mr. Denger, Ms. Leonard, Mr. Ruda, Mr. Winstead, Mr. Crockett, Mr. Goodwin and Ms. Le voted in favor of the motion. The motion passed. The meeting adjourned at 9:52 p.m.

Secretary, Chevy Chase Village Board of Managers

Final.